

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KIRIT BAKSHI,

Plaintiff,

v.

Case Number 20-10419

Honorable David M. Lawson

AVIS BUDGET GROUP, INC., GEOFF,  
JOHN DOE, AND COSTCO WHOLESALE  
CORPORATION,

Defendants.

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**ORDER DISMISSING ORDER TO SHOW CAUSE, GRANTING MOTION FOR  
RELIEF FROM JUDGMENT, VACATING ORDER AND JUDGMENT DISMISSING  
THE CASE, AND DIRECTING PLAINTIFF TO FILE AMENDED COMPLAINT**

This matter is before the Court on the plaintiff's motion for relief from the Court's order and judgment that dismissed the case without prejudice and to file an amended complaint. On April 24, 2020, the Court ordered the plaintiff to show cause in writing why the case should not be dismissed for want of jurisdiction because the Court could not determine the amount in controversy or the citizenships of all parties from the complaint. The plaintiff filed a response to the show cause order on May 4, 2020, which adequately established the citizenships of the parties, but did not plead sufficient facts indicating the amount in controversy. Accordingly, the Court dismissed the complaint without prejudice on May 7, 2020. The plaintiff then filed a motion for relief from the judgment and to amend the complaint. The plaintiff attached to the motion a proposed amended complaint, which merely alleged that the "amount in controversy exceeds \$75,000." However, the Court was not convinced that relief was warranted, because more is required than a conclusory statement to satisfy the Court that the amount in controversy has been met. *See, e.g., Wood v. Maguire Automotive, LLC*, 508 Fed. Appx. 65, 65-66 (2d Cir. 2013). The Court issued a second order to show cause, to allow the plaintiff one more opportunity to advance

satisfactory grounds to sustain the Court's exercise of jurisdiction. On July 13, 2020, the plaintiff filed a response to the order to show cause which finally, and at long last, recites a sufficiently detailed and specific factual basis to establish the probable amount in controversy. The Court finds that good grounds therefore have been shown for relief from the judgment of dismissal.

Accordingly, it is **ORDERED** that the order to show cause issued on June 29, 2020 is **DISMISSED**, and the plaintiff's motion for relief from judgment (ECF No. 12) is **GRANTED**. It is further **ORDERED** that the order and judgment of dismissal (ECF No. 10, 11) are **VACATED**, and the Clerk of Court is directed to **REOPEN** this matter and restore the case to the active docket.

It is further **ORDERED** that the plaintiff separately must file an amended complaint including a complete and adequate statement of the basis for subject matter jurisdiction **on or before July 23, 2020**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: July 16, 2020